

U. S. Appln. No. 09/875,462

Amendment dated January 10, 2005

Reply to Office Action dated September 8, 2004

Page 2

**REMARKS**

Claims 1-25 are pending in the application and stand rejected.

**Rejection under 35 U.S.C. §102**

Claims 1-6, 10, and 16-17 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,094,479 to Lindeberg et al. In particular, the Examiner finds that, with regard to claim 1, Lindeberg discloses all of the claimed limitations. Applicants have reviewed the reference with care, paying particular attention to the passages cited, and are compelled to respectfully disagree with the Examiner's characterization of this reference. Claim 1 recites, among others, a subscriber telephony component executed by processing means belonging to the communication platform and connectable to an external subscriber's information system through a private data channel. The Examiner alleges that Lindeberg discloses a subscriber telephony component executed by processing means because the claimed processing means read on the call control functions (CCFs) within the service switching points (SSPs) 241 and 245 disclosed at col. 6, lines 45-60, which according to the Examiner "does the actual functionality of the switch." However, there is nothing in this passage that is related to a subscriber telephony component. It is true that the CCF is described by Lindeberg as "the core of the traditional telephony switch which performs the actual switching of the calls." However, the SSPs that incorporate these CCFs are part of the "intelligent network 200" and have nothing whatsoever to do with a subscriber telephony component. In fact, there is no disclosure whatsoever in Lindeberg related to a subscriber telephony component.

The Examiner appears to equate Applicants' claimed subscriber telephony component to the customer domain 250 of Lindeberg, as noted in the rejection of claim 2: "Lindeberg teaches subscriber telephony component (it may reads on customer domain 250 for example in Fig. 1) is comprised of an intelligent agent (reads on CF 253..." This interpretation is incorrect, and runs directly contrary to the Examiner's earlier assertion that the processing means of the subscriber telephony component are the CCFs which, as noted above, are in the intelligent network, not in the customer domain. Obviously, the alleged subscriber telephony component cannot be in the customer domain if it incorporates components that are clearly disclosed as being in the

U. S. Appln. No. 09/875,462

Amendment dated January 10, 2005

Reply to Office Action dated September 8, 2004

Page 3

intelligent network. The Examiner appears to be attempting to join disparate components of Linderberg in a totally different manner from what Lindeberg actually discloses in order to support the anticipation rejection, and to be interpreting each of these components in whichever manner is most convenient for each particular claim rejection. Applicants respectfully submit that claim 1 is in fact patentable over Linderberg because Lindeberg does not disclose a subscriber telephony component having the claimed limitations. Should the Examiner disagree, Applicants respectfully request him to clearly and specifically point out where Lindeberg discloses this feature in accordance with 37 C.F.R. 1.104(c)2.

Claims 2-10 depend from claim 1. In view of the above discussion, it is submitted that claim 1 is allowable, and for this reason claims 2-10 are also allowable.

Claims 11, 16, 18-20 and 23-25 stand rejected "for the same reasons as discussed above with respect to claim 1." Claim 11 recites a subscriber telephony component having limitations corresponding to the subscriber telephony component recited in claim 1. Therefore, Applicants submit that claim 11 is in fact patentable over Lindeberg for the same reasons as those presented above with regards to claim 1. Claims 16 and 23-25 all recite an intelligent agent, and the Examiner has made no showing of Lindeberg disclosing an intelligent agent as recited in any of these claims. Applicants presume that the Examiner may be equating the claimed intelligent agent with the subscriber telephony component that the Examiner alleges to be disclosed in Lindeberg. However, as previously explained with regards to claim 1, Lindeberg does not in fact disclose such a subscriber telephony component. Applicants therefore respectfully submit that claims 16 and 23-25 are also patentable over Lindeberg.

Claims 18-20 depend from claim 16. In view of the above discussion, it is submitted that claim 16 is allowable, and for this reason claims 18-20 are also allowable.

#### Rejection under 35 U.S.C §103

Claims 7-9, 12-15, and 21-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lindeberg in view of U.S. Pat. No. 6,647,109 to Henderson. Claims 7-9, 12-15, and 21-22 depend variously from claim 1, 11, and 16. "If an independent claim is nonobvious

U. S. Appln. No. 09/875,462  
Amendment dated January 10, 2005  
Reply to Office Action dated September 8, 2004

Page 4

under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, in light of the above discussion of claims 1, 11 and 16, Applicants submit that claims 7-9, 12-15, and 21-22 are also allowable.

Applicants are thankful for the Examiner's acknowledgment of, and agreement with Applicants' previously submitted arguments.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 10, 2005

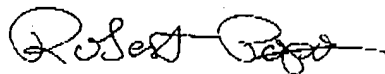
(Date of Transmission)

Mia Kim

(Name of Person Transmitting)

  
(Signature)4/10/05  
(Date)

Respectfully submitted,



Robert Popa  
Attorney for Applicants  
Reg. No. 43,010  
LADAS & PARRY  
5670 Wilshire Boulevard, Suite 2100  
Los Angeles, California 90036  
(323) 934-2300 voice  
(323) 934-0202 facsimile  
rpopa@ladasperry.com